

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

JAMES ODELL HOWELL, JR.,	)	Civil Action No.: 4:13-cv-0295-RBH-TER
	)	
Plaintiff,	)	
	)	
-vs-	)	
	)	<b>REPORT AND RECOMMENDATION</b>
	)	
DR. FRED HOLLAND and McLEOD	)	
REGIONAL MEDICAL CENTER OF	)	
THE PEE DEE;	)	
	)	
Defendants.	)	
	)	

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This action arises out of Plaintiff's employment with Defendant McLeod Regional Medical Center of the Pee Dee. Presently before the Court is Defendants' Motion to Dismiss (Document # 7) Plaintiff's Eighth Cause of Action for "wrongful discharge/unlawful retaliation in violation of the South Carolina Labor, Licensing, and Regulation Laws," Ninth Cause of Action for "wrongful discharge/unlawful retaliation in violation of both the Occupational Safety and Health Act of 1970 and the South Carolina Occupational Safety and Health Acts," Tenth Cause of Action for wrongful discharge in violation of public policy and Eleventh Cause of Action for negligent hiring, retention and/or supervision. In his Response (Document # 13), Plaintiff asserts that he does not oppose dismissal of these causes of action provided that such dismissals are without prejudice. Defendants have not objected to dismissal of these causes of action without prejudice. Accordingly, it is recommended that Defendants' Motion to Dismiss (Document # 7) be granted and Plaintiff's Eighth through Eleventh Causes of Action be dismissed without prejudice.

s/Thomas E. Rogers, III  
Thomas E. Rogers, III  
United States Magistrate Judge

April 29, 2013  
Florence, South Carolina